

IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

WA.No. 1273 of 2007()

AGAINST THE JUDGEMENT IN OP.29730/1999
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APPELLANT: APPELLANT/PETITIONER.

A.LEELAMMA, RETIRED ADDITIONAL SECRETARY
TO GOVT, LAW DEPARTMENT, GOVT. OF KERALA,
THIRUVANANTHAPURAM, RESIDING AT KOKKAPPALLIL
HOUSE, KAVADIYAR, THIRUVANANTHAPURAM.

BY ADV. SRI.PKM.HASSAN
SRI.J.JULIAN XAVIER
SRI.FIROZ K.ROBIN

RESPONDENTS:

1. STATE OF KERALA,
REPRESENTED BY ITS SECRETARY,
SC/ST DEVELOPMENT DEPARTMENT,
GOVT. OF KERALA, THIRUVANANTHAPURAM.
2. CHAIRMAN,
SCRUTINY COMMITTEE FOR VERIFICATION OF
SC/ST CLAIMS, SECRETARIAT, THIRUVANANTHAPURAM.
3. DIRECTOR OF KRITADS,
KOZHIKODE.

BY SPL. GOVT. PLEADER SRI. C.T. RAVIKUMAR

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION
ON 04/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.S.Radhakrishnan

&

Antony Dominic, JJ.

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W.A.No.1273 of 2007

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Dated this the 4th day of June, 2007.

JUDGMENT

Radhakrishnan,J.

Writ Petition was preferred by the appellant seeking a writ of certiorari to quash Exts.P4, P6 and P11 and for a direction to the first respondent to disburse the petitioner's pensionary benefits. Petitioner retired from service as Additional Secretary to Government. She claimed the benefit of Scheduled Caste community of Hindu Cheramar. Caste status was examined by KIRTADS and after a detailed enquiry, they came to the conclusion that the petitioner does not belong to a Scheduled Caste community. The report was accepted by the Department. Prosecution proceedings were initiated against the petitioner. The burden is on the petitioner to show that she belongs to Scheduled Caste community. No materials have been produced before the authorities or before this Court to establish her case. Learned single Judge after considering all the aspects concurred with the view expressed by the Expert Committee.

We find no error in the judgment of the learned single Judge.
Writ Appeal is dismissed.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.